

MEMBERSHIP BALANCE PLAN

ADVISORY COMMITTEE ON SUPPLY CHAIN COMPETITIVENESS

- (1) **Name.** Advisory Committee on Supply Chain Competitiveness (“the Committee”).
- (2) **Authority.** The Committee is established pursuant to the duties imposed upon the Department of Commerce by 15 U.S.C. § 1512, and in accordance with the Federal Advisory Committee Act (FACA) as amended, 5 U.S.C. App. The Secretary of Commerce has determined that establishment of the Committee is in the public interest.
- (3) **Mission/Function.** The objective of this Committee is to advise the Secretary on the necessary elements of a comprehensive policy approach to supply chain competitiveness designed to support U.S. export growth and national economic competitiveness, encourage innovation, facilitate the movement of goods, and the competitiveness of U.S. supply chains for goods and services in the domestic and global economy; and to provide advice to the Secretary on regulatory policies and programs and investment priorities that affect the competitiveness of U.S. supply chains. This Committee provides detailed policy and technical advice, information, and recommendations to the Secretary regarding:
- national, state, or local factors in trade programs and policies that affect the efficient domestic and international operation and competitiveness of U.S. global supply chains from point of origin to destination;
 - elements of national policies affecting the movement of goods, infrastructure, investment, and regulatory factors that affect supply chain competitiveness and sustainability; and
 - information and data systems to generate metrics that can be used to quantify and improve supply chain performance.

The Secretary will use this advice, information, and recommendations in interagency discussions in the development of national policies that affect the competitiveness of U.S. supply chains. The Committee shall act as a liaison among the stakeholders represented by the membership and shall provide a forum for those stakeholders on current and emerging issues in goods movement, ensuring regular contact between the government and the supply chain industry.

The Committee shall provide policy advice, information, and recommendations to the Secretary of Commerce.

The functions of the Committee shall be advisory only, and any determinations to be made or action to be taken on the basis of Committee recommendations shall be made or taken by appropriate officers of the United States Government. In administering this Committee, the Department of Commerce will work closely with the Department of Transportation.

- (4) **Points of View.** The Committee shall have up to forty-five (45) private sector members appointed by the Secretary of Commerce, in accordance with applicable Department of

Commerce guidance and on the basis of their ability to carry out the objectives of the Committee. Members shall represent companies, organizations, and stakeholders involved in the U.S. supply chain, with at least one individual representing each of the following:

- a. supply chain firms or their associations;
- b. users of supply chains (e.g., retailers, distributors, manufacturers, or other sectors);
- c. freight transportation providers;
- d. ports; and
- e. academia.

Careful review of membership structure and industry representation will occur with each application for membership to maintain balanced representation on the Committee. In addition, the Secretary of Transportation and the Administrator of the Environmental Protection Agency (EPA) (or their respective designees) will serve on the Committee as *ex officio*, non-voting members. Appointments will be made by the Secretary of Commerce, in consultation with the Department of Transportation, EPA, and other agencies as appropriate. Members will be appointed for terms of two years. Other than the *ex officio*, non-voting members, appointments are personal to each individual member and are not transferable.

The membership should reflect the general composition of the industries involved in the U.S. supply chain. Other than the experts from academia, all private sector members shall serve in a representative capacity, expressing their views and the interests of a U.S. entity or U.S. organization, as well as its particular sector. They are therefore not Special Government Employees. The members from academia serve as experts, and therefore are Special Government Employees (SGEs) and shall be subject to the ethical standards applicable to SGEs.

(5) Other Balance Factors. Members shall be selected to reflect the diversity of the supply chain industry, including company size and geographical business interests and location.

(6) Candidate Identification Process. Candidate identification will come from various sources, including a Federal Register notice, recommendations from current and former Federal advisory committee members, DOC industry contacts and meetings, recommendations from industry and government sources, and outreach to relevant trade associations. Searches for candidates will continue until all vacancies are filled. The Charter will expire two years from the date of renewal unless it is earlier terminated or renewed by proper authority by appropriate action. The Committee members serve two-year appointments and may be reappointed for membership by the Secretary. Any vacancies may be filled on an on-going basis in the same manner.

The process will result in consideration of a cross-section of those directly affected, interested, and qualified, and individuals with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed (41 CFR § 102-3.60(b)(3)). The Designated Federal Officer will monitor applications and ensure balance on the Committee.

(7) Subcommittee Balance. The process for determining Federal advisory committee member balance on subcommittees is the same as the process for the parent Federal advisory committee. All subcommittees or working groups shall be subject to the provisions of the FACA.

Such subcommittees or working groups may not work independently of the chartered committee and must report their recommendations and advice to the committee for full deliberation and discussion. Subcommittees or working groups have no authority to make decisions on behalf of the Committee nor can they report directly to the Secretary, or designees.

(8) Date Prepared/Updated. 7 November 2013